TL1504-12

RIGHT OF REPLY
OF THE INDONESIAN OBSERVER DELEGATION
UNDER ITEM 10
GENEVA, 22 FEBRUARY 1989

Mr. Chairman,

I regret that Portugal made reference to cases of alleged torture and missing persons in East Timor. Indonesia has consistently extended its co-operation to the Special Rapporteur on Torture and the Special Rapporteur on Summary and Arbitrary Executions. As to the Working Group on Enforced or Involuntary Disappearances, the Government of Indonesia has been co-operating with it during the last 2 years. I may add that prior to this, my Government observed the informal understanding with the ICRC concerning cases of persons alleged to be missing.

With regard to the claim that there were 200,000 victims in East Timor, Indonesia can only reiterate that it cannot be held responsible for Portugal's abandon of the territory in 1975 in the midst of a civil war instigated by it which caused much suffering and inflicted many casualties on an innocent population. While lives were indeed lost, the numbers have been greatly exaggerated. An article by Mr. Peter Hastings entitled "East Timor's War of Facts and Figures" which was published in the "Sydney Morning Herald" on 20 April 1987, questioned the credibility of such a high number of victims and noted that neither the International Red Cross, which is very active in the island, nor UNICEF, which has a major Australian funded programme in East Timor has ever reported such figures.

Reference has also been made to 3 students who were said to be wishing to emigrate. As the Indonesian Observer Delegation has already explained in its statement of 2 years ago, Indonesia, like any other country has certain laws and regulations governing the process of emigration which must be complied with. Any Indonesian citizen is

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entitled to emigrate and this right is respected as long as all the existing procedures and regulations pertinent to any such request are strictly observed. The fact is, Mr. Chairman, these students did not undertake the proper procedures to emigrate. Far from being retained in Jakarta, these students are currently living as free citizens of Indonesia and are able to presently pursue their studies.

Concerning the citation of a pastoral letter of Archbishop Belo, it is true that a number of arrests were made in East Timor during the months of October and November 1988, following the discovery of a conspiracy to entice security disturbances during the Presidential visit in November. 8 individuals were detained, 2 of whom are to be brought to trial. The Republic of Indonesia is a democratic state and the law is strictly adhered to in East Timor, as in any other province. Hence, torture and the use of violence are forbidden by law and I can assure you, Mr. Chairman, that my Government does not condone such practices.

With regard to the report of the Working Group on Enforced or Involuntary Disappearances, I would like once again to express regret that Portugal has failed to appropriately appreciate the co-operation extended by my Government to the Working Group. It is pertinent to note in this respect that although the Indonesian Government has been bound by an informal understanding with the ICRC in dealing with cases of missing persons, Indonesia, as a gesture of its good faith and as a mark of respect for the Working Group, has continued to extend its co-operation to that body.

Portugal repeatedly cites the "reports" of Amnesty International and Asia Watch as proof that violations of human rights exist in East Timor. Even these biased reports have welcomed the progress achieved in the province. In addition, the positive findings of other independent observers are overlooked by Portugal. Contrary to the claim that Indonesia's 27th province is closed to the outside world, the Indonesian Observer Delegation would simply like to recall that respected international humanitarian organisations such as the ICRC, CRS, UNICEF

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and UNDP have been active in East Timor for several years. Numerous journalists, diplomats and parliamentary delegations have visited the province. The most recent visit was that of the Chief Minister of the the Australian Northern Territory, the Hon. Marshall Perron in November 1988 who was accompanied by a group of journalists. Also included in this group were 12 citizens of Darwin of East Timorese origin. They testified to the fact that a "strict blockade" was not in force. All of these visitors were free to travel as they wished throughout the province.

Moreover, it was not in response to international criticism that East Timor could be declared open as of 1 January 1989, but rather due to the successful development efforts in that province since integration with the Republic of Indonesia. This also means that the East Timorese can travel anywhere in Indonesia's other provinces and vice versa, while the travel of foreigners to East Timor and other Indonesian provinces is facilitated, providing they comply with the immigration regulations.

Before concluding, Mr. Chairman, the Indonesian Observer Delegation would simply like to state that if Indonesia really did lack the will to co-operate and if the province of East Timor was indeed "isolated", then it certainly would not have extended an invitation from the Indonesian Parliament to its Portuguese counterpart to send a delegation to visit the province.

Finally, Mr. Chairman, with regard to the request for information from one speaker concerning what is called the Lampung Incident, my delegation will provide that information when the deliberations of the Commission reach the appropriate item of the agenda.

Thank you, Mr. Chairman.

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